

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

RONICKA SCHOTTEL,

Plaintiff,

vs.

NEBRASKA STATE COLLEGE SYSTEM,

Defendant.

4:19CV3071

**SECOND AMENDED FINAL
PROGRESSION ORDER**

THIS MATTER is before the Court on the parties' Joint Motion to Extend Scheduling Order Deadlines. ([Filing No. 23](#).) The motion is granted. Accordingly,

- 1) The status conference presently scheduled for September 4, 2020 **is canceled**. A status conference **to discuss the status of case progression, the parties' interest in settlement, trial and pretrial conference settings** will be held with the undersigned magistrate judge on **December 3, 2020 at 9:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

The parties do not intend to call experts to testify at trial.

- 3) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

The parties do not intend to call experts to testify at trial.

- 4) The deposition deadline is **December 1, 2020**.
 - a. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is 8.
 - b. Depositions will be limited by Rule 30(d)(1).

- 5) The deadline for filing motions to dismiss and motions for summary judgment is **January 5, 2021**.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 6) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 7) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 8) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 1st day of September, 2020.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge